

BILL NO. X-69-05-33 (Amended)

ANNEXATION ORDINANCE NO. X- 32-69

AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Commencing at the intersection of the West right-of-way line of Ardmore Avenue with the South right-of-way line of Covington Road (formerly Miller Street); thence North along the West right-of-way line of Ardmore Avenue, said line also being the present corporate limits, to the Southeast corner of a tract of land described as the South 100 feet of the North 353.3 feet of the East 215 feet South of North Washington Road in LaGro Reserve, containing .49 acres; thence in a westerly direction along the South line of said tract and continuing on in a Westerly direction a total distance of 334.5 feet; thence in a Southerly direction a distance of 100 feet; thence in a Westerly direction a distance of 94.5 feet to a point on the West line of a tract of land described as the South 18.77 acres of the East 21.0 acres in LaGro Reserve, South of said North Washington Road, except the railroad; thence in a Northerly direction along said line to its intersection with the South line of the Upper Huntington Road (commonly known as U. S. #24) and the West line of a tract of land described as the West .72 acres of Lot 18 in Edsall's Subdivision in a part of LaGro Reserve; thence in a Southwesterly direction along the South right-of-way line of said Upper Huntington Road to its intersection with a line projected South along the East lot lines of Lots 19, 22 and 23 of Edsall's Subdivision; thence North along the aforesaid projected line to its intersection with the North right-of-way line of Upper Huntington Road; thence in a Southwesterly direction along the North

right-of-way line of Upper Huntington Road to its intersection with the South right-of-way line of Covington Road; thence East on the South right-of-way line of Covington Road to its intersection with the West right-of-way line of Ardmore Avenue, said point of intersection also being the place of beginning, containing 371.81 acres of land, more or less

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and thirty days after the second publication thereof as provided by law.

Thomas H. Adams

APPROVED AS TO FORM
AND LEGALITY,

[Signature]
CITY ATTORNEY

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North right-of-way line of Upper Huntington Road; thence in a Southwesterly direction along the North right-of-way line of Upper Huntington Road to its intersection with the North right-of-way line of Covington Road; thence East on the North right-of-way line of Covington Road to a point, said point being the West line of Lot 8 Fairway Addition, Section A, projected North; thence South along the West line of said Lot 8 Fairway Addition, Section A, and the West line of Fairway Addition, Section B, to the Southwest corner of said Fairway Addition, Section B; thence East along the South line of said Fairway Addition, Section B, to its intersection with the West right-of-way line of Smith Road; thence North on the West right-of-way line of Smith Road and said line projected North to its intersection with the North right-of-way line of Covington Road; thence East on the North right-of-way line of said Covington Road to its intersection with the West right-of-way line of Ardmore Avenue, said point of intersection also being the place of beginning, containing 378.8 acres of land, more or less.

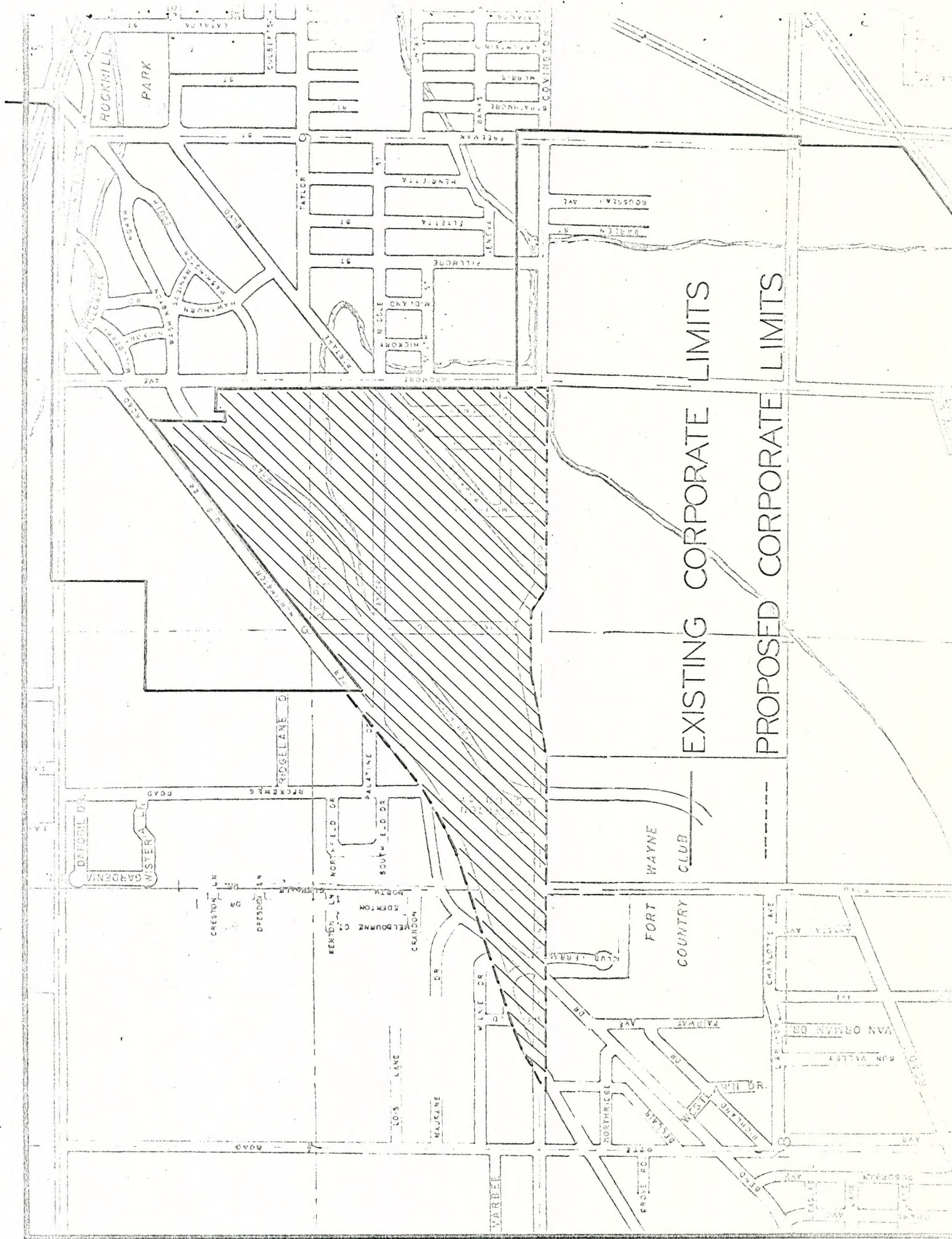
SECTION 2. Said annexed territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and thirty days after the second publication thereof as provided by law.

Thomas G. Adams

APPROVED AS TO FORM
AND LEGALITY.

City Attorney



City of Fort Wayne

CITY PLAN COMMISSION
425 E. Calhoun Street

July 31, 1969

COMMUNICATION FROM CITY PLAN COMMISSION

Members of the Common Council
City Hall
Fort Wayne, Indiana

Gentlemen and Mrs. Fay:

At the regular meeting of the Common Council held May 27, 1969, a proposed ordinance annexing territory to the City of Fort Wayne was introduced and referred to the City Plan Commission for study and recommendation. Such proposed ordinance was designated as Bill No. X-69-05-33.

Transmitted herewith is the report of the City Plan Commission as formulated at its regular meeting held July 28, 1969.

It is the recommendation of this Commission that the ordinance does meet the criteria for annexation and that the ordinance be returned to the Common Council with the recommendation that it DO PASS. It is further recommended that this ordinance be so enacted so as to become effective as soon as possible.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
31st day of July 1969.

Mary Ann Haynie
Mary Ann Haynie
Secretary



HOFFMAN, MOPPERT & SOLOMON

ATTORNEYS AT LAW

JOHN C. HOFFMAN (1960)

JOHN E. HOFFMAN, JR.

EDWARD J. MOPPERT, JR.

JAMES R. SOLOMON

PHILIP R. THIEME

LARRY T. MILLER

ROBERT A. SCALF

SUITE 1212 ANTHONY WAYNE BANK BUILDING

FORT WAYNE, INDIANA 46802

DONALD F. STRUTZ

OF COUNSEL

TELEPHONE 742-1131

AREA CODE 219

October 6, 1969

Mr. Thomas G. Adams
Adams and Walda Furniture Co.
1818 Bluffton Road
Fort Wayne, Indiana 46807

RE: Annexation Ordinance X69-05-33
Westwood-Fairway Association Area.

Dear Tom:

The following are the proposals which Messrs. Jackson, Simon and I presented to the City Council relative to the above ordinance on September 30, 1969:

1. Amend the Annexation Area:

(a) Limit the area to the real estate bounded by Ardmore on the East, Taylor Street on the South, and North Washington Road on the Northwest, where city water and city sewer services are now available;

(b) Eliminate Fairway Addition (the proposal of Simon), the only tract located South of Covington Road included in the proposed annexation;

(c) If the entire area is to be annexed as proposed, include Covington Road and that part of Smith Road adjoining Fairway Addition, as only through city annexation can the occupants of the area proceed under the Barrett Law to establish sidewalks, sewers, etc. along these roads and make proper improvements thereof.

2. Delay the Effective Date of Annexation Three to Five Years:

(a) Insert in the annexation ordinance an effective date of December 31, 1972, or December 31, 1974, when the ordinance goes into effect.

(b) Without the insertion of some such date, I am certain the residents of the area will elect to remonstrate against the ordinance, take it to court, because even if they lose, they could secure such an extension by such a remonstrance and suit.

3. Use Increased Taxes from Area for Improvement Thereof:

This is specifically provided by Burns 48-718 Indiana Statutes (re-enactment of an old statute), which authorizes agreements between the city and area to be annexed for the bringing of city services and the urbanizing of the area, and the use of tax moneys from the area for a period of three years.

As I reported at the hearing, to my knowledge, no one in the area is connected into the Westmoor Interceptor Sewer which runs through the Easterly part thereof and only half of the houses (107 out of 212) are served by city water.

As there are approximately 1-3/4 acres of land to each house in the area, it will be extremely costly for those desiring city sewer and water service to extend these lines unless some sort of city funding is provided (such as proposed above) to temporarily fund land areas.

Similarly, street, storm water drainage and sidewalk development, which is so badly needed, probably cannot be accomplished any other way.

John Robinson suggested a contract agreement with the city providing for a five-year program. This would be an excellent answer.

Enclosed is a copy of the Concordia Gardens Annexation Ordinance which contains a special section 3 drafted by Associate City Attorney Robert Meyers, which provides for use of 2/3s of the excess taxes for three years. This is the other part of this answer.

JEH:pg

Yours very truly,

Enc.

CC: James Jackson
1325 Lincoln Bank Tower

HOFFMAN, MOPPERT & SOLOMON

Clifford E. Simon
1108 Fort Wayne Bank Bldg.

WESTWOOD ANNEXATION STUDY

LOCATION: The triangular area bounded by Upper Huntington Road (U.S. #24) on the north, Covington Road on the south and the city limits on the east and north; also, including Fairway Addition, Sections A and B lying south of the Covington Road and west of Smith Road.

SIZE: Approximately 378.8 acres or .59 square miles.

POPULATION: Assuming a factor of 3.5 persons per dwelling, the estimated population is 742 persons.

BUILDINGS:

<u>Type</u>	<u>Number</u>	<u>Condition</u>
Residential	212	Good - Excellent
Commercial	6	Fair - Good

STREETS & ROADS:

<u>Jurisdiction</u>	<u>Number of Miles</u>	<u>Condition</u>
State	.9	Good - Excellent
County	4.2	Poor - Good

ZONING: Of the net area, 94.04% is zoned RA and the remaining 2.96% is zoned B4, Roadside Business.

LAND USE:

<u>Type</u>	<u>Present Occupancy</u>	
	<u>Acres</u>	<u>%</u>
Residential	219.81	58.1
Commercial	5.35	1.4
Streets & Highways	26.14	6.9
Vacant	127.5	33.6
	378.8	100.0%

URBAN SERVICES:

Water - At the present time 107 homes in the area are being served by city water.

Sewer - At the present time the area east of Randall Road is served by city sewers. Although the remaining area does not have any facilities, extensions could be accomplished upon request.

Street & Road Maintenance - The average annual cost per mile for maintenance is \$1,500; therefore, the total cost for this service would be approximately \$6,300.

Street Lighting - City Light presently serves the eastern fringe of this area. Approximately 12 lights would be needed immediately with an approximate cost of \$3,000.

Police Protection - The average cost per capita for this service is \$12.50. Using the estimated population figure of 742 persons, it would cost approximately \$9,275 to provide this service.

Fire Protection - Part of the area proposed for annexation extends beyond the desired 1½ mile radius of the nearest fire station (#2). The proportionate share of the cost to provide fire protection to this area based on a cost per square mile would be approximately \$19,495.

Fire Alarm Boxes - Approximately 6 fire alarm boxes would have to be installed at a cost of \$500 per box with an annual maintenance charge of \$50. The total initial cost would be approximately \$3,300.

Garbage Collection - Assuming a total of 212 units at \$11.01 per unit, the total annual cost for this service would be \$2,334.

Schools - This area is already in the Fort Wayne Community Schools System, therefore, annexation would create no problem.

Administrative Costs - Because of the relative size of this area, there will be certain administrative costs, i.e., Mayor's Office, City Planning, Board of Public Works, Civil Defense, Engineering, Board of Health, Department of Law, City Clerk, City Judge, Humane Commission and Department of Finance, that would necessarily commence upon annexation but it would be impossible to project these costs to the city.

ASSESSED VALUATION:

Land and Improvement (Actual)	\$ 1,580,240.00
Personal Property (Estimated)	194,404.00
Privately Owned Utility Equipment	
Indiana & Michigan Electric Company	21,115.00
NIPSCO (Gas Company)	15,965.00
General Telephone	12,474.00
Total Tax Base	\$ 1,824,198.00

EXPECTED REVENUE:

Property Taxes (\$4.025 per \$100)	\$ 73,425.05
Alcoholic Gallonage Tax	1,000.70
Gasoline Tax	6,032.46
Cigarette Tax	2,691.20
Total Expected Revenue	\$ 83,149.41

SUMMARY:

Services to be Supplied:

Expenditures
Capital Operating

Police Protection		\$ 9,275
Fire Protection		19,495
Fire Alarm Boxes	\$ 3,000	300
Garbage Collection		2,334
Street Lighting	3,000	
Street Maintenance		<u>6,300</u>
	\$ 6,000	\$37,704
		\$43,704

EXPECTED REVENUE:

	\$ 83,149.41
Net Annual Income to City After First Year	45,445.41
Less Capital Expenditures	<u>- 6,000.00</u>
Net Annual Income to City First Year	\$ 39,445.41

WESTWOOD ANNEXATION

COMMENCING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF ARDMORE AVENUE WITH THE ^{SOUTH} ~~NORTH~~ RIGHT-OF-WAY LINE OF COVINGTON ROAD (FORMERLY MILLER STREET); THENCE NORTH ALONG THE WEST RIGHT-OF-WAY LINE OF ARDMORE AVENUE, SAID LINE ALSO BEING THE PRESENT CORPORATE LIMITS, TO THE SOUTH-EAST CORNER OF A TRACT OF LAND DESCRIBED AS THE SOUTH 100 FEET OF THE NORTH 353.3 FEET OF THE EAST 215 FEET SOUTH OF NORTH WASHINGTON ROAD IN LAGRO RESERVE, CONTAINING .49 ACRES; THENCE IN A WESTERLY DIRECTION ALONG THE SOUTH LINE OF SAID TRACT AND CONTINUING ON IN A WESTERLY DIRECTION A TOTAL DISTANCE OF 334.5 FEET; THENCE IN A SOUTHERLY DIRECTION A DISTANCE OF 100 FEET; THENCE IN A WESTERLY DIRECTION A DISTANCE OF 94.5 FEET TO A POINT ON THE WEST LINE OF A TRACT OF LAND DESCRIBED AS THE SOUTH 18.77 ACRES OF THE EAST 21.0 ACRES IN LAGRO RESERVE, SOUTH OF SAID NORTH WASHINGTON ROAD, EXCEPT THE RAILROAD; THENCE IN A NORTHERLY DIRECTION ALONG SAID LINE TO ITS INTERSECTION WITH THE SOUTH LINE OF THE UPPER HUNTINGTON ROAD (COMMONLY KNOWN AS U. S. #24) AND THE WEST LINE OF A TRACT OF LAND DESCRIBED AS THE WEST .72 ACRES OF LOT 18 IN EDSALL'S SUBDIVISION IN A PART OF LAGRO RESERVE; THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID UPPER HUNTINGTON ROAD TO ITS INTERSECTION WITH A LINE PROJECTED SOUTH ALONG THE EAST LOT LINES OF LOTS 19, 22 AND 23 OF EDSALL'S SUBDIVISION; THENCE NORTH ALONG THE AFORESAID PROJECTED LINE TO ITS INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF UPPER HUNTINGTON ROAD; THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE NORTH RIGHT-OF-WAY LINE OF UPPER HUNTINGTON ROAD TO ITS INTERSECTION WITH THE ^{SOUTH} ~~NORTH~~ RIGHT-OF-WAY LINE OF COVINGTON ROAD; THENCE EAST ON THE ^{SOUTH} ~~NORTH~~ RIGHT-OF-WAY LINE OF COVINGTON ROAD TO ~~THE WEST LINE OF LOT 8 FAIRWAY ADDITION SECTION A, PROJECTED NORTH, AND THE SOUTH ALONG THE WEST LINE OF SAID LOT 8 FAIRWAY ADDITION SECTION A, AND THE WEST LINE OF FAIRWAY ADDITION SECTION B, TO~~

THE SOUTHWEST CORNER OF SAID FAIRWAY ADDITION, SECTION B; THENCE EAST ALONG
THE SOUTH LINE OF SAID FAIRWAY ADDITION, SECTION B, TO ITS INTERSECTION
WITH THE WEST RIGHT-OF-WAY LINE OF SMITH ROAD; THENCE NORTH ON THE WEST
RIGHT-OF-WAY LINE OF SMITH ROAD AND SAID LINE PROJECTED NORTH TO ITS INTER-
SECTION WITH THE NORTH RIGHT-OF-WAY LINE OF COVINGTON ROAD; THENCE EAST ON
THE NORTH RIGHT-OF-WAY LINE OF SAID COVINGTON ROAD TO ITS INTERSECTION WITH
THE WEST RIGHT-OF-WAY LINE OF ARDMORE AVENUE, SAID POINT OF INTERSECTION
ALSO BEING THE PLACE OF BEGINNING, CONTAINING ~~57.8~~ ACRES OF LAND, MORE OR
LESS.

371.81

BILL NO. X-69-05-33 (Amended)

ANNEXATION ORDINANCE NO. X-_____

AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 4.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
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SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

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right-of-way line of Upper Huntington Road to its intersection with the South right-of-way line of Covington Road; thence East on the South right-of-way line of Covington Road to its intersection with the West right-of-way line of Ardmore Avenue, said point of intersection also being the place of beginning, containing 371.81 acres of land, more or less

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and thirty days after the second publication thereof as provided by law.



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right-of-way line of Upper Huntington Road to its intersection with the South right-of-way line of Covington Road; thence East on the South right-of-way line of Covington Road to its intersection with the West right-of-way line of Ardmore Avenue, said point of intersection also being the place of beginning, containing 371.81 acres of land, more or less

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and thirty days after the second publication thereof as provided by law.

STATE OF INDIANA)
)
COUNTY OF ALLEN)

SS:

IN ALLEN SUPERIOR COURT NO. 3
CAUSE NO. 15459

IN THE MATTER OF THE ANNEXATION)
PROPOSED BY ANNEXATION ORDINANCE)
X-32-69, BEING AN ORDINANCE WHICH)
WOULD ANNEX CERTAIN TERRITORY TO)
THE CITY OF FORT WAYNE, INDIANA)
AND INCLUDE THE SAME IN COUNCIL-)
MANIC DISTRICT NO. 4)

JUDGMENT

The Court having determined that the defendant, the City of Fort Wayne, is entitled to summary judgment now finds:

That Annexation Ordinance X-32-69, an ordinance annexing a certain territory as described herein to the City of Fort Wayne, said real estate being described as follows, to-wit:

Commencing at the intersection of the West right-of-way line of Ardmore Avenue with the South right-of-way line of Covington Road (formerly Miller Street); thence North along the West right-of-way line of Ardmore Avenue, said line also being the present corporate limits, to the Southeast corner of a tract of land described as the South 100 feet of the North 353.3 feet of the East 215 feet south of North Washington Road in LaGro Reserve, containing .49 acres; thence in a westerly direction along the South line of said tract and continuing on in a West-erly direction a total distance of 334.5 feet; thence in a Southerly direction a distance of 100 feet; thence in a Westerly direction a distance of 94.5 feet to a point on the West line of a tract of land described as the South 18.77 acres of the East 21.0 acres in LaGro Reserve, South of the said North Washington Road, except the railroad; thence in a Northerly direction along said line to its intersection with the South line of the Upper Huntington Road (commonly known as U. S. #24) and the West line of a tract of land described as the West .72 acres of Lot 18 in Edsall's Subdivision in a part of LaGro Reserve; thence in a Southwesterly direction along the South right-of-way line of said Upper Huntington Road to its inter-section with a line projected South along the East lot lines of Lots 19, 22 and 23 of Edsall's Subdivision; thence North along the aforesaid projected line to its intersection with the North right-of-way line of Upper Huntington Road; thence in a Southwesterly direction along the North right-of-way line of Upper Huntington Road to its intersection with the South right-of-way line of Covington Road; thence East on the South right-of-way line of Covington Road to its intersection with the West right-of-way line of Ardmore Avenue, said point of inter-section also being the place of beginning, containing 371.81 acres of land, more or less.

was legally passed by the Common Council of the City of Fort Wayne, Indiana on the 4th day of November, 1969 and was approved and signed by Harold S. Zeis, Mayor of the City of Fort Wayne, on November 5, 1969.

The Court further finds that resident population of the area sought to be annexed is equal to at least three (3) persons for each acre of land included within its boundaries; that sixty percent (60%) of the land therein is sub-divided; that at least one-eighth ($1/8$) of the aggregate external boundaries of the territories sought to be annexed coincide with the boundaries to the City of Fort Wayne; and that the City of Fort Wayne has developed a fiscal plan and has established a definite policy to furnish the territory to be annexed within a period of three (3) years, governmental and proprietary services substantially equivalent in standards and scope to the governmental and proprietary services furnished by the City of Fort Wayne to other areas of the city which have characteristics of typography, patterns of land utilization and population density similar to the territory to be annexed; and that the area sought to be annexed is bordered on one-fourth ($1/4$) of its aggregate external boundaries by the boundaries of the city and is needed and can be used by the city for its future development in the reasonably near future.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Annexation Ordinance X-32-69, an ordinance annexing a certain territory as described herein to the City of Fort Wayne, said real estate being described as follows, to-wit:

Commencing at the intersection of the West right-of-way line of Ardmore Avenue with the South right-of-way line of Covington Road (formerly Miller Street); thence North along the West right-of-way line of Ardmore Avenue, said line also being the present corporate limits, to the Southeast corner of a tract of land described as the South 100 feet of the North 353.3 feet of the East 215 feet south of

North Washington Road in LaGro Reserve, containing .49 acres; thence in a westerly direction along the South line of said tract and continuing on in a Westerly direction a total distance of 334.5 feet; thence in a Southerly direction a distance of 100 feet; thence in a Westerly direction a distance of 94.5 feet to a point on the West line of a tract of land described as the South 18.77 acres of the East 21.0 acres in LaGro Reserve, South of said North Washington Road, except the railroad; thence in a Northerly direction along said line to its intersection with the South line of the Upper Huntington Road (commonly known as U.S. #24) and the West line of a tract of land described as the West .72 acres of Lot 18 in Edsall's Subdivision in a part of LaGro Reserve; thence in a Southwesterly direction along the South right-of-way line of said Upper Huntington Road to its intersection with a line projected South along the East lot lines of Lots 19, 22 and 23 of Edsall's Subdivision; thence North along the aforesaid projected line to its intersection with the North right-of-way line of Upper Huntington Road; thence in a Southwesterly direction along the North right-of-way line of Upper Huntington Road to its intersection with the South right-of-way line of Covington Road; thence East on the South right-of-way line of Covington Road to its intersection with the West right-of-way of Ardmore Avenue, said point of intersection also being the place of beginning, containing 371.81 acres of land, more or less.

was legally passed by the Common Council of the City of Fort Wayne, Indiana on the 4th day of November, 1969, and was approved and signed by Harold S. Zeis, Mayor of the City of Fort Wayne, on November 5, 1969.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that resident population of the area sought to be annexed is equal to at least three (3) persons for each acre of land included within its boundaries; that sixty percent (60%) of the land therein is sub-divided; that at least one-eighth (1/8) of the aggregate external boundaries of the territories sought to be annexed coincide with boundaries to the City of Fort Wayne; and that the City of Fort Wayne has developed a fiscal plan and has established a definite policy to furnish the territory to be annexed within a period of three (3) years, governmental and proprietary services substantially equivalent in standards and scope to the governmental and proprietary services furnished by the City of Fort Wayne to other areas

of the City which have characteristics of typography, patterns of land utilization and population density similar to the territory to be annexed; and that the area sought to be annexed is bordered on one-fourth (1/4) of its aggregate external boundaries by the boundaries of the city and is needed and can be used by the city for its future development in the reasonably near future.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the annexation undertaken by Annexation Ordinance X-32-69 shall take place.

Louis L. Bloom

LOUIS L. BLOOM, Judge
Allen Superior Court No. 3

Dated: July 28, 1970

I, ELTON L. MARQUART, Clerk of the Allen Superior Court No. 3 of Allen County, State of Indiana, certify that the foregoing is a true and perfect copy of an original document signed in the above entitled case by said court. Witness my hand and the seal of said Court, this 12th day of August 1970.

Elton L. Marquart
Clerk

PLEAS before the Hon....Presiding....., Judge of the Superior Court of Allen County,
State of Indiana, at a regular term of said Court, held at the Court House in the City of Fort Wayne, County of
Allen, State of Indiana, commencing on Monday, the..... day of
A. D., 19....., to wit:

.....In The Matter of the Annexation
.....proposed by Annexation Ordinance
.....X-32-69, being an Ordinance which
.....would annex certain territory to
.....the City of Fort Wayne, Indiana
.....and include the same in council-
.....manic district No. 4.....

.....#15459.....
.....
.....
.....
.....

BE IT REMEMBERED, that on the 29th day of February A. D., 1972,
the same being the 51st Judicial day of the 1972 Term
Term, 19....., of said Court, held at the said Court House, before the Honorable Judge aforesaid, the following
ORDER WAS MADE

in the above entitled cause by said Court to wit:

IN THE MATTER OF THE ANNEX-
ATION PROPOSED BY ANNEXATION
ORDINANCE X-32-69, BEING AN
ORDINANCE WHICH WOULD ANNEX
CERTAIN TERRITORY TO THE
CITY OF FORT WAYNE, INDIANA
AND INCLUDE THE SAME IN
COUNCILMANIC DISTRICT NO. 4

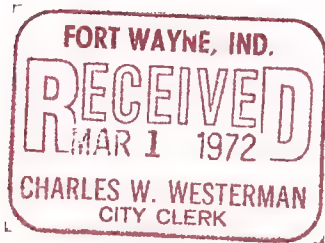
#15459

- (e) That area is needed for development of City;
- (f) The lines of annexation form a compact area abutting the City, and that annexation remonstrated against should be upheld.

The Court now orders that annexation ordinance X-32-69 of the City of Fort Wayne should take full force and effect.

Remonstrator's costs.

This cause having been under advisement, the Court now finds that the following determinants exist:
(a) The annexation is in the best interests of the City and of the territory sought to be annexed;
(b) The area is urban in character, being an economic and social part of the annexing city;
(c) The terms and conditions of the annexing ordinance are fair and just;
(d) The City is financially able to provide municipal service to the annexed area;



STATE OF INDIANA, COUNTY OF ALLEN:

I,.....Robert D. Hanson....., Clerk of the Allen Superior Court,
in and for said County and State, certify that the above and foregoing is a full, true and perfect copy of
.....AN ORDER BOOK ENTRY.....
entered and signed in the above entitled cause by said court, as the same appears and remains on record in
Order Book.....2....., page.....-----.....of said Court, in my office.

In Testimony Whereof, Witness my name and the seal of said Court
hereto subscribed and affixed, at the City of Fort Wayne, this the
1st.....day of.....March.....A. D., 19...72
Robert D. Hanson
Clerk Allen Superior Court

52796

No.....#15459.....

SUPERIOR COURT

IN THE MATTER OF THE ANNEX-
ATION PROPOSED BY ANNEXATION
ORDINANCE X-32-69, BEING AN
ORDINANCE WHICH WOULD ANNEX
CERTAIN TERRITORY TO THE
CITY OF FORT WAYNE, INDIANA
AND INCLUDE THE SAME IN
GOOUNCILMANIC DISTRICT NO. 4

CERTIFIED COPY OF
AN ORDER BOOK ENTRY

~~CONFIDENTIAL~~

Bill No. X-69-05-33REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on _____ Annexation _____ to whom was referred an Ordinance
annexing certain territory to the City of Fort Wayne and including the same in _____
Councilmanic District No. 4, _____

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance *DC* *AS AMENDED* *11/1* PASS.

THOMAS G. ADAMS, Chairman

JACK K. DUNIFON, Vice-Chairman

JOHN H. ROBINSON

CELIA ANN FAY

WILLIAM K. GEAKE

Thomas G. Gilman
Jas. R. Keene
John Wilson
Elinor Fay
Wm. R. Keene

CONCURRED IN
DATE 1-11-69 FUAD G. EDWARDS, CITY CLERK

Read the first time in full and on motion by G Adams seconded by Robinson and duly adopted, read the second time by title and referred to the (Committee on) Annexation (and to the City Plan Commission for recommendation) ~~(and Public Hearing to be held after due legal notice,~~ at the Council Chambers, City Hall, Fort Wayne, Indiana, on the _____ day of _____, 196____, at _____ o'clock P.M., E.S.T.

Date: 5-27-69

Freud G. Bonachoon
City Clerk

Read the third time in full and on motion by _____ seconded by _____ and duly adopted, placed on its passage.
Passed (LOST) by the following vote:

AYES	_____,	NAYS	_____,	ABSTAINED	_____,	ABSENT	_____,	to-wit:
Adams	_____	_____	_____	_____	_____	_____	_____	
Dunifon	_____	_____	_____	_____	_____	_____	_____	
Fay	_____	_____	_____	_____	_____	_____	_____	
Geake	_____	_____	_____	_____	_____	_____	_____	
Nuckols	_____	_____	_____	_____	_____	_____	_____	
Robinson	_____	_____	_____	_____	_____	_____	_____	
Rousseau	_____	_____	_____	_____	_____	_____	_____	
Steigerwald	_____	_____	_____	_____	_____	_____	_____	
Tipton	_____	_____	_____	_____	_____	_____	_____	

Date _____

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(Zoning Map)~~ ~~(General)~~ ~~(Annexation)~~ ~~(Special)~~ ~~(Appropriation)~~ Ordinance ~~(Resolution)~~ No. X on the _____ day of _____, 196____.

ATTEST: (SEAL)

City Clerk

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 196____ at the hour of _____ o'clock ____M., E.S.T.

City Clerk

Approved and signed by me this 5th day of November, 1969, at the hour of 1:43 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Read the first time in full and on motion by _____ seconded by _____ and duly adopted, read the second time by title and referred to the (Committee on) _____ (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on _____ the _____ day of _____ 196 _____, at _____ o'clock P.M., E.S.T.

Date:

11-4-69

Luad J. Bonahoom
City Clerk

Read the third time in full and on motion by _____ seconded by Geake and duly adopted, placed on its passage.
Passed (~~lost~~) by the following vote:

AYES 9, NAYS 0, ABSTAINED _____, ABSENT _____ to-wit:

Adams	<u>✓</u>			
Dunifon	<u>✓</u>			
Fay	<u>✓</u>			
Geake	<u>✓</u>			
Nuckols	<u>✓</u>			
Robinson	<u>✓</u>			
Rousseau	<u>✓</u>			
Steigerwald	<u>✓</u>			
Tipton	<u>✓</u>			

Date

11-4-69

Luad J. Bonahoom
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (Resolution) No. X32-69 on the 4th day of November, 196 9.

ATTEST:

(SEAL)

Luad J. Bonahoom
City Clerk

Robert H. Tipton
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 5th day of November, 196 9 at the hour of 8:30 o'clock A.M., E.S.T.

Luad J. Bonahoom
City Clerk

Approved and signed by me this 5th day of November, 196 9, at the hour of 1:42 o'clock P.M., E.S.T.

Harold S. Zeis
Mayor

Common Council of City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head number of lines	
Body number of lines	117
Tail number of lines	1
Total number of lines in notice	118

COMPUTATION OF CHARGES

118 lines, cents per	Legal Notices	equivalent lines at .288¢	\$ 33.98
Additional charge amount)	along the East lot lines of Lots 19, 22 and 23 of Edsall's Subdivision; thence North along the aforesaid projected line to its intersection with the North right-of-way line of Upper Huntington Road; thence in a Southwesterly direction along the North right-of-way line of Upper Huntington Road to its intersection with the South right-of-way line of Covington Road; thence East on the South right-of-way line of Covington Road to its intersection with the West right-of-way line of Ardmore Avenue, said point of intersection also being the place of beginning, containing 371.81 acres of land, more or less.	ular work (50 per cent of above	
Charge for extra p	SECTION 2. Said annexed territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.	ach proof in excess of two)	\$ 33.98
TOTAL AM	SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and thirty days after the second publication thereof as provided by law.		

DATA FOR COMPUTING COSTS

Width of single col	Thomas G. Adams, Councilman. Read the third time in full and on motion by Adams seconded by Geake and duly adopted, placed on its passage. Passed by the following vote: Ayes: nine. Adams, Dunifon, Fay, Geake, Nuckols, Robinson, Rousseau, Steigerwald, Tipton. Nays: none. Date: 11-4-69.	Size of type 5½ point
Number of inserti	Fuad G. Bonahoom, City Clerk. Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-32-69 on the 4th day of November, 1969.	Size of quad upon which type is cast 5½

Pursuant to the provision and

I hereby certify that the foregoing credits, and that no part of the

Date November 26, 1969

Notice is hereby given that on the 4th day of November, 1969, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Annexation ordinance, to-wit:
BILL NO. X-69-05-33 (Amended)
ANNEXATION ORDINANCE NO. X-32-69
AN ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 4.
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:
Commencing at the intersection of the West right-of-way line of Ardmore Avenue with the South right-of-way line of Covington Road (formerly Miller Street); thence North along the West right-of-way line of Ardmore Avenue, said line also being the present corporate limits, to the Southeast corner of a tract of land described as the South 100 feet of the North 353.3 feet of the East 215 feet South of North Washington Road in LaGro Reserve, containing .49 acres; thence in a westerly direction along the South line of said tract and continuing on in a Westerly direction a total distance of 334.5 feet; thence in a Southerly direction a distance of 100 feet; thence in a Westerly direction a distance of 94.5 feet to a point on the West line of a tract of land described as the South 18.77 acres of the East 21.0 acres in LaGro Reserve, South of said North Washington Road, except the railroad; thence in a Northerly direction along said line to its intersection with the South line of the Upper Huntington Road (commonly known as U.S. 24) and the West line of a tract of land described as the West .72 acres of Lot 18 in Edsall's Subdivision in a part of LaGro Reserve; thence in a Southwesterly direction along the South right-of-way line of said Upper Huntington Road to its intersection with a line projected South

SEAL 11-15, 22.

FERE

that she is

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

November 15, 1969

November 22, 1969

Subscribed and sworn to before me this 26th day of November 1969

Notary Public

My commission expires March 8, 1970

Common Council of City of Ft. Wayne
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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COMPUTATION OF CHARGES

118 lines, columns wide equals equivalent lines at .288¢ cents per line	\$ 33.98
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	\$ 33.98

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5½ point
Number of insertions 2	Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Arvilla De Wald

Date November 26, 1969

Title CLERK

Notice is hereby given that on the 4th day of November, 1969, the Common Council of the City of Fort Wayne, Indiana, at a Regular Session, did pass the following Annexation ordinance, to-wit: Bill No. X-69-05-33 (Amended) ANNEXATION ORDINANCE NO. X-2 AN ORDINANCE annexing certain territory to the City of Fort Wayne, Indiana, and including the same in Courthouse District No. 4. BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA: SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Commencing at the intersection of the West right-of-way line of Ardmore Avenue with the South right-of-way line of Covington Road (formerly Miller Street); thence North along the West right-of-way line of Ardmore Avenue, said line also being the present corporate limits, to the Southeast corner of a tract of land described as the South 100 feet of the North 353.3 feet of the East 215 feet South of North Washington Road in LaGro Reserve, containing .49 acres; thence in a westerly direction along the South line of said tract and continuing on in a Westerly direction a total distance of 334.5 feet; thence in a Southerly direction a distance of 100 feet; thence in a Westerly direction a distance of 94.5 feet to a point on the West line of a tract of land described as the South 18.77 acres of the East 21.0 acres in LaGro Reserve, South of said North Washington Road, except the railroad; thence in a Northerly direction along said line to its intersection with the South line of the Upper Huntington Road (commonly known as U.S. 24) and the West line of a tract of land described as the West .72 acres of Lot 18 in Edsall's Subdivision in a part of LaGro Reserve; thence in a Southwesterly direction along the South right-of-way line of said Upper Huntington Road to its intersection with a line projected South

North. Pennsylvania Railroad on the south and still Boulevard on the north. south and Hanna Street on the Pennsylvania Railroad on the north, Maumee River on the north, day, in an area bounded by the Southeast, Monday and Tuesday.

AFFIDAVIT

ss: before me, a notary public in and for said county and state, the ARVILLA DE WALD who, being duly sworn, says

CLERK

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

November 15, 1969

November 22, 1969

Subscribed and sworn to before me this 26th day of November 1969

Notary Public

My commission expires March 8, 1970

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date November 26, 1969

A. M. Hostman
Title Clerk

Notice is hereby given that on the 4th day of November, 1969, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Annexation Ordinance, to-wit:
Bill No. X-69-05-33 (Amended)
ANNEXATION ORDINANCE NO. X-32-69
AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 4.
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:
SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Commencing at the intersection of the West right-of-way line of Ardmore Avenue with the South right-of-way line of Covington Road (formerly Miller Street); thence North along the West right-of-way line of Ardmore Avenue, said line also being the present corporate limits, to the Southeast corner of a tract of land described as the South 100 feet of the North 353.3 feet of the East 215 feet South of North Washington Road in LaGro Reserve, containing .49 acres; thence in a westerly direction along the South line of said tract and continuing on in a Westerly direction a total distance of 334.5 feet; thence in a Southerly direction a distance of 100 feet; thence in a Westerly direction a distance of 94.5 feet to a point on the West line of a tract of land described as the South 18.77 acres of the East 21.0 acres in LaGro Reserve, South of said North Washington Road, except the railroad; thence in a Northerly direction along said line to its intersection with the South line of the Upper Huntington Road (commonly known as U.S. 24) and the West line of a tract of land described as the West .72 acres of Lot 18 in Edsall's Subdivision in a part of LaGro Reserve; thence in a Southwesterly direction along the South right-of-way line of said Upper Huntington Road to its intersection with a line projected South along the East lot lines of Lots 19, 22 and 23 of Edsall's Subdivision; thence North along the aforesaid projected line to its intersection with the North right-of-way line of Upper Huntington Road; thence in a Southwesterly direction along the North right-of-way line of Upper Huntington Road to its intersection with the South right-of-way line of Covington Road; thence East on the South right-of-way line of Covington Road to its intersection with the West right-of-way line of Ardmore Avenue, said point of intersection also being the place of beginning, containing 371.81 acres of land, more or less.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 4 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and thirty days after the second publication thereof as provided by law.

Read the third time in full and on motion by Adams seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes: nine.
Adams, Dunifon, Fay, Geake, Nuckols, Robinson, Rousseau, Steigerwald, Tipton.

Nays: none.
Date: 11-4-69.

Fuad G. Bonahoom, City Clerk.
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-32-69 on the 4th day of November, 1969.

ATTEST: (SEAL)
Fuad G. Bonahoom, City Clerk.
Herbert C. Tipton, Presiding Officer.
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 5th day of November, 1969 at the hour of 8:30 o'clock A.M., E.S.T.

Fuad G. Bonahoom, City Clerk.
Approved and signed by me this 5th day of November, 1969, at the hour of 1:42 o'clock P.M., E.S.T.

Harold S. Zeis, Mayor.
I, Fuad G. Bonahoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Annexation Ordinance No. X-32-69 passed by the Common Council on the 4th day of November 1969, and that said Ordinance was duly signed, and approved by the Mayor on the 5th day of November, 1969 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 14th day of November, 1969.

Fuad G. Bonahoom, City Clerk.
SEAL
11-15, 22.

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city { FORT WAYNE, INDIANA } of town in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

November 15, 1969

November 22, 1969

A. M. Hostman
Subscribed and sworn to before me this 26th day of November 1969

Edith Stapleton
Notary Public

My commission expires March 8, 1970

Common Council-City of Ft. Wayne
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen
County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

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TOTAL AMOUNT OF CLAIM	\$ 33.98

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5½ point
Number of insertions 2	Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Date November 26, 1969

Title Clerk

Notice is hereby given that on the 4th day of November, 1969, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Annexation ordinance, to-wit: Bill No. X-69-05-33 (Amended) ANNEXATION ORDINANCE No. X-32-69, and that said Ordinance was duly signed, and approved by the Mayor on the 5th day of November, 1969 and now remains on file and on record in my office. I, the undersigned, being the official seal of the City of Fort Wayne, Indiana, this 14th day of November, 1969, do hereby certify the foregoing to be true and correct. Fuad G. Bondhoom, City Clerk.

SEAL
11-15, 22.

David G. Bondhoom, City Clerk, also announced that Betty also announced that telephone operator. 1960 when she was hired as a has been with the bank since Section of that department. She supervising the Stock Transfer post of Assistant Trust Officer, Horn has been elevated to the bank employees. Betty said that Mrs. Helen announced promotions of four the Lincoln National Bank, has Lloyd E. Beatty, president of

Promoted at
Lincoln Bank
Officials

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

November 15, 1969

November 22, 1969

A. M. Hostman

Subscribed and sworn to before me this 26th day of November 1969

Edith Stapleton
Notary Public

My commission expires March 8, 1970